



Hearing Date/Agenda Number:

P.C. 11/17/03 Item: 3.t

File Number:

GP03-T-13

Council District and SNI Area:

Citywide

Major Thoroughfares Map Number:

N/A

Assessor's Parcel Number(s):

N/A

Project Manager:

Richard Buikema

GENERAL PLAN REPORT

2003 Fall Hearing

TEXT REFERENCE:

Chapter V. Land Use/Transportation Diagram; Land Use Diagram, Public Park and Open Space; pages 231-232

PROJECT DESCRIPTION:

General Plan Text amendment to revise the Public Park and Open Space designation of the General Plan to clarify circumstances in which the designation may be applied to privately-owned land.

LOCATION: Citywide

ACREAGE: N/A

APPLICANT/OWNER:

Staff

ENVIRONMENTAL REVIEW STATUS:

San Jose 2020 Environmental Impact Report certified by City Council Resolution No. 65459 on August 16, 1994

PLANNING STAFF RECOMMENDATION:

Adopt the proposed text amendment.

Approved by:

Date:

Stan Vitell
Nov. 7, 2003

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- None received.

GENERAL CORRESPONDENCE:

- None received.
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ANALYSIS AND RECOMMENDATIONS:**PROJECT DESCRIPTION**

This is staff-initiated text amendment to the *San Jose 2020 General Plan* to modify the Public Park and Open Space land use designation to allow its application to privately owned property and to establish a procedure to identify the interim land use designation(s) that apply to a privately owned property, prior to its acquisition by the City for park use.

BACKGROUND

The provision of an adequate supply of park land to meet the needs of San Jose's growing population is a continuing challenge. It is especially important to plan proactively for parkland as the City continues to add more housing opportunities and increase densities in key locations through amendments to the General Plan Land Use/Transportation Diagram.

ANALYSIS

Planning staff is proposing this amendment to further assist the City in proactively identifying potentially suitable park sites, including privately owned property, in the vicinity of planned residential development as well as in existing park deficient areas. As currently written, the Public Park and Open Space designation is to be applied only to lands owned by public agencies or programmed for acquisition. Staff's proposed change would allow this designation to be applied to private property when it is determined that there exists a high likelihood that funding would be identified to allow the City to purchase the land for park purposes. Such circumstances may include areas identified in Specific Plan or Strong Neighborhood Initiative (SNI) Improvement Plan areas where planned new higher density residential both creates demand for expanded recreational facilities and generates funding and/or land dedication for park purposes through the Park Dedication Ordinance.

The proposed text amendment creates clarity the interim land use designation(s) that apply to a privately-owned property, prior to its acquisition by the City for park use. This provision would provide guidance to a property owner wishing to propose private development on such a property if the City is unable to purchase the property. Specifically, staff is proposing language that indicates that until a park site is acquired, the General Plan land use designation of the site would be the land use designation of the adjacent property. If more than one designation abuts the site, the applicable designation would be decided based on relevant General Plan land use policies, including compatibility with surrounding existing uses and General Plan land use designations.

COORDINATION

Preparation of this proposed amendment was coordinated with City Attorney's Office and the Department of Parks, Recreation and Neighborhood Services.

PUBLIC OUTREACH

The Planning Department held community meetings on October 14th and 15th, 2003 to discuss the proposed Fall 2003 General Plan amendments. No comments were received in regards to this amendment at the community meetings. In addition, the community can be kept informed about the status of amendments on the Department's web-site, which contains information on the General Plan process, each proposed amendment, staff reports, and hearing schedule.

RECOMMENDATION

Planning staff recommends adoption of the proposed text amendment.

PROPOSED TEXT AMENDMENT

Amend Chapter V. Land Use/Transportation Diagram; Land Use Diagram, Public Park and Open Space; pages 231-232as follows:

PUBLIC PARK AND OPEN SPACE

This designation is applied to lands which are publicly owned, though in some instances public access may be restricted. These lands are devoted to open space use for the most part, although some development, such as restrooms, playgrounds, educational/visitor's centers, and parking areas, is an inherent part of many of the properties so designated. It is intended that this designation be applied only primarily to lands owned by public agencies or programmed for acquisition, although facilities and activities developed and operated wholly or partially by concessionaires and other private entities are also considered appropriate under this designation. This designation can also be applied to privately owned property that is potentially suitable for park development and for which there is a high likelihood that a funding source will be identified to allow the City to purchase the property. Prior to the purchase of a site designated as Public Park and Open Space, the General Plan land use designation of the site is the land use designation of the adjacent property. If more than one designation abuts the site, the applicable designation should be decided based on relevant General Plan land use policies, including compatibility with surrounding uses and General Plan land use designations.

The most prevalent Public Park and Open Space uses are City and County parks. Other properties included in this designation are publicly owned open space lands and recreation facilities other than parks, including the South San Francisco Bay National Wildlife Refuge, the Santa Clara Valley Water District creeks and percolation ponds and the Airport Approach Zone recreation complex. Non-open space uses to which this designation is applied include such major facilities as the County Fairgrounds, PAL Stadium, and the Historical Museum, as well as golf course club houses and similar ancillary facilities, community centers and concession facilities.

The locations of neighborhood and district parks are in most cases specifically defined on the Land Use/Transportation Diagram. There are cases where a park is needed, but where either no specific site has yet been identified or where the details of surrounding development have not been finalized. In these cases, the designation for the park will be indicated by the letter "P". This symbol represents a "floating" designation and is only intended to indicate a general area within which a park site will be located. The specific size, location and configuration of such park sites will only be finalized through acquisition of a particular parcel. In addition, for park sites which are specifically identified on the Land Use/Transportation Diagram, no General Plan amendment shall be required to modify the general location, size or configuration of such park sites.